

REMARKS

I. Status of the Application

Claims 1, 2 and 11-23 are pending in this application. In the October 11, 2007 office action, the Examiner:

- A. Rejected claims 1-2, 11-12, 17-20 and 22-23 under 35 U.S.C. §102(b) as being anticipated by US 5,757,795 to Schnell;
- B. Rejected claims 13-16 and 21 under 35 U.S.C. §103(a) as being unpatentable over Schnell and further in view of US 6,658,027 to Kramer et al.; and
- C. Objected to the Title for not being descriptive.

Applicant has thoroughly considered the Office action dated 10 September 2007 and has amended the application to more clearly set forth the invention. Claims 11 and 22 have been amended and a new claim 24 has been introduced by this Amendment A. Thus, claims 1, 2 and 11-24 are presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

II. Amendments to the Specification

A minor clarity objection has been raised to the title of the invention. Applicant has amended the title to address the objection. The title has been amended to read "Data switch and method of operating the data switch".

III. Amendments to the Claims

Claims 1-2, 11-12, 17-20 and 22-23 stand rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 5,757,795 to Schnell ("Schnell"). In particular, the Examiner considers Schnell to disclose or teach all of the features of claims 1-2, 11-12, 17-20 and 22-23 of the present application.

Applicant submits that each and every element as set forth in independent claims 1, 17 and 24 is not found, either expressly or inherently, in Schnell.

Referring first to claim 1, Schnell discloses in col. 11, lines 21-25 that a new source MAC address is copied into the MAC address map 412 along with its corresponding port number as and when a packet processor 212 receives a packet containing a new MAC address. Contrary to the assertion made by the examiner, this disclosure does not anticipate the feature of an address table construction means being operable to construct a table in respect of all but a first one of the ports specified in claim 1. Rather, the referenced portion of Schnell teaches that the packet processor 212 is operable to construct the MAC address map 412 in respect of all the ioports 104. There is no disclosure, teaching or suggestion in Schnell that the packet processor 212 is operable to construct the MAC address map 412 in respect of one of the ioports 104. Therefore, claim 1 is not anticipated by Schnell. New claim 24 — a method claim corresponding to the device of claim 1 — is novel over Schnell for similar reasons.

Turning now to claim 17, Schnell teaches in col. 11, lines 21-25 that the MAC address map 412 is updated as and when a packet containing a new MAC address is received. Associations between the ioports 104 and MAC addresses are continually being made. Consequently, generation of the MAC address map 412 as disclosed in Schnell is an ongoing

process. This is not the same as stopping generation of a table before MAC addresses of at least some devices operably coupled through the first ingress/egress port are associated with the first ingress/egress port in the table as specified in claim 17. Therefore, claim 17 is also not anticipated by Schnell.

Claims 2, 11-12, 18-20 and 22-23, by virtue of their dependencies at least, are thus also not anticipated by Schnell.

Applicant further submits that since Schnell provides neither teaching nor suggestion of all the features of independent claims 1, 17 and 24, there is simply no logical adaptation of Schnell by which a person skilled in the art could arrive at any of these claims. Indeed, there is no motivation for the person skilled in the art to even consider Schnell at all, let alone seek to adapt the teachings of Schnell to arrive at any of claims 1, 17 and 24 since Schnell addresses an entirely different issue than the present invention. Specifically, Schnell is concerned with sorting and tracking MAC or any other type of binary addresses in a networking environment in an efficient manner without excessive cost (see col. 2, lines 57-60 of Schnell). The present invention, on the other hand, is concerned with providing a data switch with a lower memory requirement (see page 2, lines 6-7 of the application as filed). Thus, claims 1, 17 and 24 are non-obvious over Schnell. Claims 2, 11-16 and 18-23, by virtue of their dependencies at least, are also non-obvious over Schnell.

It is felt that a full and complete response has been made to the Office Action, and applicant respectfully submits that pending claims are allowable over the cited art and that the subject application is now in condition for allowance.

The fact that applicant may not have specifically traversed any particular assertion by

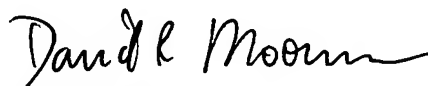
the Office should not be construed as indicating applicant's agreement therewith.

IV. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,



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